

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Latasha Santhrie Mitchell-Manigo,	)	C/A No.: 1:23-cv-2099-BHH-SVH
on behalf of C.S.M., Jr.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
Kilolo Kijakazi, Acting	)	
Commissioner of Social Security	)	
Administration,	)	
	)	
Defendant.	)	
	)	

Defendant, Kilolo Kijakazi, Acting Commissioner of the Social Security Administration (“Commissioner”), by her attorneys, Adair F. Boroughs, United States Attorney for the District of South Carolina, and Theresa A. Casey, Special Assistant United States Attorney for said district, has moved this court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings. [ECF No. 29]. Counsel for the Commissioner represents that she contacted the pro se Plaintiff, who consents to the granting of the motion. *Id.*

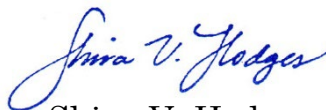
The parties agree that further administrative action is warranted in the case. *Id.* By requesting remand pursuant to sentence four of 42 U.S.C. § 405(g), the Commissioner concedes the agency's final decision is not supported by substantial evidence or the adjudicators failed to apply the

proper legal standard in evaluating Plaintiff's case at the administrative level.

Pursuant to the power of this court to enter a judgment affirming, modifying, or reversing the Commissioner's decision based on the pleadings and transcript of record, and given the parties' consent to judgment with remand,<sup>1</sup> this court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and orders remand of the cause to the Commissioner for further administrative proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993). On remand, the ALJ shall further develop the record, consider all relevant evidence, and issue a new decision. The Clerk of Court is directed to enter a separate judgment pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.

October 27, 2023  
Columbia, South Carolina



Shiva V. Hodges  
United States Magistrate Judge

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<sup>1</sup> Pursuant to the court's standing order, *In the Matter of Consensual Dismissal of Actions Before Magistrate Judges*, M-90-3-FBH, and in accordance with 28 U.S.C. § 636(c), the undersigned is authorized to enter judgment.